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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/707,728

01/07/2004

John Darin Fiegner

001-285

1727

29569

7590

05/17/2006

JEFFREY FURR
253 N. MAIN STREET
JOHNSTOWN, OH 43031

EXAMINER

GORDON, RAEANN

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guthry (5,509,657). Guthry discloses a level attached to the shaft of a putter. The level includes a level chamber with air enclosed inside a chamber (fig 1). Claim 4, the chamber includes a top and bottom housing. The level includes liquid and indicia/image on the face. Guthry discloses a level attached to the shaft of a putter by a hinge (56, fig 1). Guthry discloses an adjustment means between the level and the shaft attachment (56, fig 1) but does not disclose a drive means. The tongue and drive means is considered an obvious variation of the Guthry device since the remainder of the premise of both inventions are the same. One of ordinary skill in the art would modify or update the adjustment means for a more modern device.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raeann Gorden whose telephone number is 571-272-4409. The examiner can normally be reached on Mon, Tues, Thurs, Fri 9-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rg
May 15, 2006



**RAEANN GORDEN
PRIMARY EXAMINER**